

- 8 -

## REMARKS

The present response is to the Office Action mailed in the above-referenced case on June 03, 2004. Claims 1-28 are standing for examination. The Examiner has rejected claims 1-4, 6-11, 15-21, and 23-26 under 35 U.S.C. 103(a) as being anticipated by Brown (U.S. 5,740,361), hereinafter Brown, in view of Maegawa (U.S. 5,966,386), hereinafter Maegawa. Claims 5 and 22 rejected under 35 U.S.C. 103(a) as being anticipated by Brown in view of Maegawa and further in view of Clark et al. (6,058,378), hereinafter Clark. Claims 12-14 and 27-28 are rejected under 35 U.S.C. 103(a) as being anticipated by Brown in view of Maegawa, and further in view of Thomopoulos et al. (U.S. 5,970,495), hereinafter Thomopoulos. Claim 15 is further rejected under 35 U.S. U.S. 112, second paragraph due to informalities.

Applicant has carefully studied the prior art cited and applied by the Examiner, and the Examiner's rejections and statements of the instant Office Action. In response, applicant slightly amends the claims to more particularly point out and distinctly claim the subject matter of applicant's invention, which the Examiner appears to misunderstand in his rejections and statements. Applicant provides further argument that the independent claims as amended distinguish clearly and unarguably over the prior art presented.

Applicant herein amends the language of claim 1 to more specifically recite online verification of the identity of users applying for third-party services available through the network. For convenience, applicant reproduces claim 1 below as amended.

- 9 -

Claim 1 as amended now recites:

1. (currently amended) A networked-based system for providing online verification of the identity of users applying for third-party services available through the network comprising:

a first server node connected to the network for offering application to third-party services through the network;

a user node connected the network for accessing the first server node and applying for third-party services;

a second server node connected to the network and accessible from the first server node, the second server node for processing user identity verification requests communicated from the first server node;

a third server node connected to the network and accessible from the second server node, the third server node for navigating on the network by proxy according to navigation requests communicated from the second server node; and

a data repository accessible at least to the second server node for storing data about users being for whom identity is to be verified, characterized in that a user operating the user node accesses the first server node and applies for a service or services offered through the first server node and submits data for user identity verification, the first server node sending the data in the form of a user identity verification request to the second server node, the second server node creating a navigation request containing a portion of the submitted data including at least user login data required to enter or access at least one target site specified in the request, and sending the navigation request to the third server, the third server performing the navigation according to the request, utilizing the user login data to enter the target site and reporting navigation results back to the second server, the second server reporting the results back to the first server for user identity verification purposes.

- 10 -

Applicant's independent claim 15 recites the method steps of applicant's invention in accordance with the limitations of claim 1. Applicant herein amend the language of claim 15 similarly to claim 1, specifically reciting verification of the identity of a user. Applicant further amends claim 15 to correct the antecedent basis to overcome the Examiner's rejection of the claim under 35 U.S.C. 112, second paragraph, for indefiniteness.

The Examiner has stated that the Brown reference teaches a network-based system for providing online verification of users applying for third-party services. The Brown reference does not explicitly disclose navigating on the network on behalf of the user by proxy, and the Examiner relies on the reference of Maegawa for making up the deficiency.

Applicant argues that the Brown reference not only fails to disclose navigating on the network on behalf of the user by proxy, the Brown reference also fails to explicitly teach or suggest verification of the actual identity of the requesting user. Brown merely authenticates pass phrases by a series of challenges. It is the pass phrases which are verified in Brown not the actual identity of the user, as is taught in applicant's invention, and now specifically recited in applicant's independent claims.

The combination of the Brown and Maegawa references further fails to teach or suggest all of the limitations of applicant's independent claims as amended, because there clearly is no navigation to a target Web site by proxy, on behalf of the requesting user whose identity is to be verified, the target WebSite requiring user identification by user name and password, verification of the requesting user's identification by successfully logging into the Web site on behalf of the user using login and password information of the requesting user, and returning said status of the login procedure for the purpose of verifying the user's identity.

- 11 -

The reference of Brown fails to teach applicant's third navigation server which accepts the navigation requests from the requesting user and then logs into a target WebSite on behalf of a user, by proxy, for the purpose of verifying the identity of the requesting user. The Examiner has relied on the reference of Maegawa for teaching this deficiency. Applicant respectfully submits, however, that the reference of Maegawa also fails in this regard. Maegawa (col. 9, lines 1-37) teaches interpretation of a navigation request input by the navigation in server 322 and outputs a search instruction to searcher 326. A search for the predetermined information from the server database 340 is then performed by searcher 326, in accordance with the search instruction.

Applicant can nowhere find in the above portion cited and applied by the Examiner, anything having to do with a remote server navigating to a target Web site by proxy, on behalf of the requesting user whose identity is to be verified, and verifying the identity of the user by successfully logging into the target Web site using secure information of the requesting user. Maegawa teaches an authenticator 328, which decodes the data from the requesting device, and when confirming from the digital signature that the order data is proper, outputs the result of the confirmation to navigation interpreter 322, biller 330, bulk data transmitter 332, and/or bulk data receiver 336. Applicant argues that there is clearly no teaching of any navigation or logging into a Web site by proxy on behalf of the user for verifying the identity of the user.

Applicant submits that the combination of Brown/Maegawa fails to teach or suggest all of applicant's limitations in the independent claims as amended, as argued above. Independent claims 1 and 15, amended to specifically recite verification of the identity of the user, and also reciting proxy navigation on behalf of the user according to the user navigation request, and utilizing user login data to enter or access a target site for verification of the identity of the user, are now clearly and unarguably

- 12 -

patentable as amended over Brown/Maegawa, either singly or in combination.

Claims 5 and 22 rejected as being anticipated by Brown in view of Maegawa and further in view of Clark, and claims 12-14 and 27-28 are rejected as being anticipated by Brown in view of Maegawa, and further in view of Thomopoulos. Claims 2-14 and 16-28 are depending claims, and are patentable as argued above by applicant, on their own merits, or at least as depended from a patentable claim. It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue.

If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,  
Blake Earl Hayward

by   
Donald R. Boys  
Reg. No. 35,074

Donald R. Boys  
Central Coast Patent Agency  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457